

08-26-04

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JFWS



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/803,550	03/17/2004	Patrick Fogarty	TOSK-007CIPCON

24353  
 BOZICEVIC, FIELD & FRANCIS LLP  
 200 MIDDLEFIELD RD  
 SUITE 200  
 MENLO PARK, CA 94025



CONFIRMATION NO. 5663

## FORMALITIES LETTER



\*OC000000012852958\*

Date Mailed: 06/03/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/27/2004 JDALINAH 00000074 500815 10803550

01 FC:2001 385.00 DA  
 02 FC:2201 43.00 DA  
 03 FC:2051 65.00 DA

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$255** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$705** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$255**

- **\$129** for **3** independent claims over 3.
- **\$126** for **14** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Please type a plus sign (+) inside this box →



PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

12

Application Number 10/803,550

Filing Date March 17, 2004

First Named Inventor FOGARTY, PATRICK

Group Art Unit 1632

Examiner Name N/A

Attorney Docket Number TOSK-007CIPCON

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Preliminary Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Requested	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Executed Declaration; Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> CD, Number of CD(s)	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Signing Attorney/Agent (Reg. No.) BRET E. FIELD, 37,620  
BOZICEVIC, FIELD & FRANCIS LLP

Signature

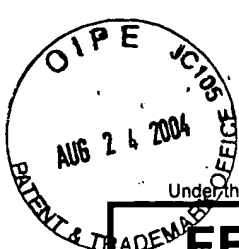
Date

August 24, 2004

EXPRESS MAIL LABEL NO. EV462737785US

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

**Complete if Known**

Application Number	10/803,550
Filing Date	March 17, 2004
First Named Inventor	FOGARTY, PATRICK
Examiner Name	N/A
Art Unit	1632
Attorney Docket No.	TOSK-007CIPCON

☒ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**548.00****METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number	50-0815
Deposit Account Name	Bozicevic, Field & Francis LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge Any Additional Fee(s) Required under 37 C.F.R. 1.17.☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	2001	385	Utility filing fee	385.00
1002	2002	170	Design filing fee	
1003	2003	265	Plant filing fee	
1004	2004	385	Reissue filing fee	
1005	2005	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>				<b>385.00</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Extra Claims	Fee from below	Fee Paid
Total Claims	20	-20** = 0	x =
Indep. Claims	4	-3** = 1	x 43.00 = 43.00
Multiple Dependent			=

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description
1202	2202	9	Claims in excess of 20
1201	2201	43	Independent claims in excess of 3
1203	2203	145	Multiple dependent claim, if not paid
1204	2204	43	** Reissue independent claims over original patent
1205	2205	9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>			<b>\$ 43.00</b>

\*\*or number previously paid, if greater; For Reissues, see above.

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	2051	65	Surcharge - late filing fee or oath	65.00
1052	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	2053	130	Non-English specification	
1812	2520	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	920*	Requesting publication of SIR prior to Examination action	
1805	1,840*	1,840*	Requesting publication of SIR after Examiner action	55.00
1251	2251	55	Extension for reply within first month	
1252	2252	210	Extension for reply within second month	
1253	2253	475	Extension for reply within third month	
1254	2254	740	Extension for reply within fourth month	
1255	2255	1,005	Extension for reply within fifth month	
1401	2401	165	Notice of Appeal	
1402	2402	165	Filing a brief in support of an appeal	
1403	2403	145	Request for oral hearing	
1451	1,510	1,510	Petition to institute a public use proceeding	
1452	110	2452	55 Petition to revive - unavoidable	
1453	1,330	2453	665 Petition to revive - unintentional	
1501	1,330	2501	665 Utility issue fee (or reissue)	
1502	480	2502	240 Design issue fee	
1503	640	2503	320 Plant issue fee	
1406	130	1460	130 Petitions to the Commissioner	
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180 Submission of Information Disclosure Stmt	
8021	40	8021	40 Recording each patent assignment per property (times number of properties)	
1809	770	2809	385 Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385 For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385 Request for Continued Examination (RCE)	
1802	900	1802	900 Request for expedited examination of a design application	
Other fee (specify) _____				
<b>SUBTOTAL (3) (\$)</b>				<b>120.00</b>

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Bret E. Field	Registration No. (Attorney/Agent)	37,620	Telephone	(650) 833-7770
Signature		Date	08/24/2004		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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